

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-2-E - ORDER NO. 2006-106
FEBRUARY 14, 2006

IN RE: Annual Review of Base Rates for Fuel Costs) ORDER DECLARING
 of South Carolina Electric & Gas Company) FUEL STUDY
) CONFIDENTIAL

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Joint Motion of the Office of Regulatory Staff (ORS) and South Carolina Electric & Gas Company (SCE&G) (together, the Joint Movants), which seeks an order (i) declaring the unredacted Fuel Study accompanying the Joint Motion as confidential, (ii) affording the unredacted Fuel Study confidential treatment, and (iii) protecting the unredacted Fuel Study from public disclosure.

The Joint Movants note that the unredacted fuel study was done pursuant to the Settlement Agreement approved in Commission Order No. 2005-187, wherein the parties agreed to a cumulative review and study (the study or Fuel Study) of SCE&G's fuel purchasing methods to be conducted and completed by ORS. As a part of its study, ORS requested information deemed confidential by SCE&G as it pertains to certain information regarding SCE&G's operations. Specifically SCE&G designated information confidential based upon its belief that the information covers non-public proprietary, commercially valuable and/or competitively sensitive information, and/or trade secrets of SCE&G. SCE&G states a belief that it is not appropriate to make detailed confidential

information regarding its operations publicly available and further asserts that access to this confidential information could give actual and potential competitors an unfair competitive advantage. The Joint Movants state that SCE&G's concern is recognized in the South Carolina Freedom of Information Act which allows exemption from disclosure proprietary business information which constitutes a trade secret. See S.C. Code Ann. Section 30-4-40(a)(1)(Supp. 2005).

ORS does not oppose the confidential designation by SCE&G, and the Settlement Agreement approved in Order No. 2005-187 specifically addressed the need for a confidentiality agreement for such information. A confidentiality agreement was executed between SCE&G and ORS, whereupon ORS received the confidential information from SCE&G to complete its Fuel Study. In addition, the Joint Movants note that the Settlement Agreement described in Order No. 2005-187 allows the two intervening parties to this docket to review a copy of the unredacted Fuel Study upon execution of a confidentiality agreement. Accordingly, the Joint Movants state that confidential treatment of the data and backup documentation accompanying this Motion is consistent with the Commission's prior Order in this matter.

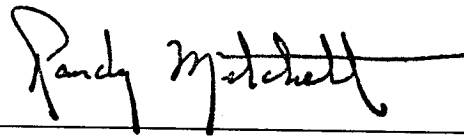
Further, the Joint Movants state that they have complied with the mandates of Commission Order No. 2005-226, which sets forth the requirements for filing confidential information with the Commission.

We have considered this matter, and we hereby grant the Joint Motion. It appears to us that the unredacted Fuel Study does contain non-public proprietary, commercially valuable and/or competitively sensitive information, and/or trade secrets of SCE&G. We

also agree that, in this case, S.C. Code Ann. Section 30-4-40(a)(1)(Supp. 2005) exempts this material from public disclosure. Also, we find that the Joint Movants have complied with Order No. 2005-226. We hereby declare that (i) the unredacted Fuel Study accompanying this motion is confidential, (ii) the unredacted Fuel Study shall have confidential treatment, and (iii) the unredacted Fuel Study shall be protected from public disclosure.

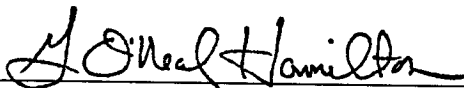
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice-Chairman

(SEAL)